

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CLAIRMONT DONALD,

Plaintiff,

-against-

STACIE BENNETT, et al.,

Defendants.

ORDER

24-CV-03144 (PMH)

PHILIP M. HALPERN, United States District Judge:

Plaintiff, who is proceeding *pro se*, commenced this action against Stacie Bennett, P. Paige-Connier, Mikhail Gusman, and Terrie Armbruster (“Defendants”)¹ on April 23, 2024. (Doc. 1). Defendants’ motion to dismiss the Complaint is currently pending. (Doc. 22). Pursuant to the briefing schedule set by the Court, Plaintiff’s opposition was due on December 11, 2024. (Doc. 21). Plaintiff’s time to file an opposition was extended to January 13, 2025. (Doc. 27).

On January 8, 2025, with the Court’s permission, Plaintiff’s amended complaint was docketed. (Doc. 32). Plaintiff, in his amended complaint, adds, among other things, a John Doe as a defendant and new allegations about Defendants.

Accordingly, Defendants, by February 7, 2025 at 5:00 p.m., shall (1) file an answer to the amended complaint; (2) file a new motion to dismiss in accordance with the Court’s Individual Rules; or (3) file a letter with the Court stating that they intend to rely on the previously filed motion to dismiss (Doc. 22).

The Clerk of Court is respectfully directed to mail a copy of this Order to Plaintiff.

¹ Plaintiff, in the original complaint, also named the New York State Department of Corrections and Community Supervision (“DOCCS”) as a defendant, but the Court, on May 9, 2024, dismissed Plaintiff’s claims against DOCCS pursuant to 28 U.S.C. § 1915(e)(2)(B)(iii). (Doc. 7).

SO ORDERED.

Dated: White Plains, New York
February 3, 2025



PHILIP M. HALPERN
United States District Judge